



Sector
WA

PATENT
ATTORNEY DOCKET NO.: 013306-5003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
 Ian Duncan RUBIN et al.)
)
 Application No.: 09/891,615.) Group Art Unit: 1614
)
 Filed: June 27, 2001) Examiner: Unassigned
)
 For: EXTRACTS, COMPOUNDS &)
 PHARMACEUTICAL COMPOSITIONS)
 HAVING ANTI-DIABETIC ACTIVITY)
 AND THEIR USE)

Commissioner For Patents and Trademarks

BOX MISSING PARTS

Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed August 16, 2001.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney

The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

12/16/2001 AGOITOM 00000097 500310 09891615

06 FD:116 10.00 CH 390.00 OP

3. English Translation of Non-English Language Papers

Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

Applicants claim small entity status as provided under 37 C.F.R. §§ 1.9 and 1.27.

5. Fee Calculation

Basic Fee:				
Patent Application-\$740.00				
Design Application-\$330.00				
	<u>Number Filed</u>	<u>Number Extra</u>	<u>at a Rate of</u>	
Total Claims	41 - 20 =	21	\$18.00 each=	+ 378.00
Independent Claims	8 - 3 =	5	\$84.00 each=	+ 420.00
Multiple dependent claim(s), if any			\$270.00	+ 270.00
Missing Parts Surcharge Fee			\$130.00	+ 130.00
SUB-TOTAL =				1,938.00
Reduction by ½ for filing by a small entity				- \$ 0.00
SUB-TOTAL =				0.00
Fee For Application Filed With A Non-English Specification (37 CFR 1.17(k) and 1.52(d)		\$130.00	+ 0	
Fee For Processing and retention of application (37 CFR 1.21(l) and 1.53(d)		\$130.00	+ 0	
TOTAL FILING FEE =				\$ 1,938.00

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total months requested</u>	<u>Fee for extension</u>	<u>[fee for Small Entity]</u>
[] one month	\$ 110.00	\$ 55.00
[X] two months	\$ 400.00	\$200.00
[] three months	\$ 920.00	\$460.00
[] four months	\$1,440.00	\$720.00

Extension of time fee due with this request: \$400.00

If an additional extension of time is required, please consider this a Petition therefor.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

The total fee due is:	Filing Fee	<u>\$1,808.00</u>
	Missing Parts Fee	<u>\$ 130.00</u>
	Total Fee Due	<u>\$1,938.00</u>
	Two Month Extension of Time Fee	<u>\$ 400.00</u>
	Less ½ for Small Entity	<u>\$ 0.00</u>
	Total Fee Due	<u>\$2,338.00</u>

Enclosed is a check in the amount of **\$2,338.00** representing the total fee due.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

8. Additional papers enclosed.

- Preliminary Amendment
- Information Disclosure Statement
- Form PTO-1449
- Citations
- Declaration of Biological Deposit
- Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Christine S. Lee
Christine S. Lee
Reg. No. 42,788

Date: December 17 2001

CUSTOMER NO. 009629

MORGAN, LEWIS & BOCKIUS LLP
1800 M Street, N.W.
Washington, D.C. 20036
(202) 467-7000



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/891,615	06/27/2001	Ian Duncan Rubin	013306-5003

009629
MORGAN, LEWIS & BOCKIUS
1800 M STREET NW
WASHINGTON, DC 20036-5869

CONFIRMATION NO. 8850
FORMALITIES LETTER

Date Mailed: 08/16/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$326.
 - \$126 for 14 total claims over 20.
 - \$200 for 5 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 746.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

PART 2 - COPY TO BE RETURNED WITH RESPONSE

2022/10/2021	AG010H	00000097	500310	03891515
FC101			740.00	0P
FC102			130.00	0P
FC103			376.00	0P
FC104			420.00	0P
FC105			280.00	0P
FC106				
FC107				
FC108				
FC109				
FC110				
FC111				
FC112				
FC113				
FC114				
FC115				
FC116				
FC117				
FC118				
FC119				
FC120				
FC121				
FC122				
FC123				
FC124				
FC125				
FC126				
FC127				
FC128				
FC129				
FC130				
FC131				
FC132				
FC133				
FC134				
FC135				
FC136				
FC137				
FC138				
FC139				
FC140				
FC141				
FC142				
FC143				
FC144				
FC145				
FC146				
FC147				
FC148				
FC149				
FC150				
FC151				
FC152				
FC153				
FC154				
FC155				
FC156				
FC157				
FC158				
FC159				
FC160				
FC161				
FC162				
FC163				
FC164				
FC165				
FC166				
FC167				
FC168				
FC169				
FC170				
FC171				
FC172				
FC173				
FC174				
FC175				
FC176				
FC177				
FC178				
FC179				
FC180				
FC181				
FC182				
FC183				
FC184				
FC185				
FC186				
FC187				
FC188				
FC189				
FC190				
FC191				
FC192				
FC193				
FC194				
FC195				
FC196				
FC197				
FC198				
FC199				
FC200				
FC201				
FC202				
FC203				
FC204				
FC205				
FC206				
FC207				
FC208				
FC209				
FC210				
FC211				
FC212				
FC213				
FC214				
FC215				
FC216				
FC217				
FC218				
FC219				
FC220				
FC221				
FC222				
FC223				
FC224				
FC225				
FC226				
FC227				
FC228				
FC229				
FC230				
FC231				
FC232				
FC233				
FC234				
FC235				
FC236				
FC237				
FC238				
FC239				
FC240				
FC241				
FC242				
FC243				
FC244				
FC245				
FC246				
FC247				
FC248				
FC249				
FC250				
FC251				
FC252				
FC253				
FC254				
FC255				
FC256				
FC257				
FC258				
FC259				
FC260				
FC261				
FC262				
FC263				
FC264				
FC265				
FC266				
FC267				
FC268				
FC269				
FC270				
FC271				
FC272				
FC273				
FC274				
FC275				
FC276				
FC277				
FC278				
FC279				
FC280				
FC281				
FC282				
FC283				
FC284				
FC285				
FC286				
FC287				
FC288				
FC289				
FC290				
FC291				
FC292				
FC293				
FC294				
FC295				
FC296				
FC297				
FC298				
FC299				
FC300				
FC301				
FC302				
FC303				
FC304				
FC305				
FC306				
FC307				
FC308				
FC309				
FC310				
FC311				
FC312				
FC313				
FC314				
FC315				
FC316				
FC317				
FC318				
FC319				
FC320				
FC321				
FC322				
FC323				
FC324				
FC325				
FC326				
FC327				
FC328				
FC329				
FC330				
FC331				
FC332				
FC333				
FC334				
FC335				
FC336				
FC337				
FC338				
FC339				
FC340				
FC341				
FC342				
FC343				
FC344				
FC345				
FC346				
FC347				
FC348				
FC349				
FC350				
FC351				
FC352				
FC353				
FC354				
FC355				
FC356				
FC357				
FC358				
FC359				
FC360				
FC361				
FC362				
FC363				
FC364				
FC365				
FC366				
FC367				
FC368				
FC369				
FC370				
FC371				
FC372				
FC373				
FC374				
FC375				
FC376				
FC377				
FC378				
FC379				
FC380				
FC381				
FC382				
FC383				
FC384				
FC385				
FC386				
FC387				
FC388				
FC389				
FC390				
FC391				
FC392				
FC393				
FC394				
FC395				
FC396				
FC397				
FC398				
FC399				
FC400				
FC401				
FC402				
FC403				
FC404				
FC405				
FC406				
FC407				
FC408				
FC409				
FC410				
FC411				
FC412				
FC413				
FC414				
FC415				
FC416				
FC417				
FC418				
FC419				
FC420				
FC421				
FC422				
FC423				
FC424				
FC425				
FC426				
FC427				
FC428				
FC429				
FC430				
FC431				
FC432				
FC433				
FC434				
FC435				
FC436				
FC437				
FC438				
FC439				
FC440				
FC441				
FC442				
FC443				
FC444				
FC445				
FC446				
FC447				
FC448				
FC449				
FC450				
FC451				
FC452				
FC453				
FC454				
FC455				
FC456				
FC457				
FC458				
FC459				
FC460				
FC461				
FC462				
FC463				
FC464				
FC465				
FC466				
FC467				
FC468				
FC469				
FC470				
FC471				
FC472				
FC473				
FC474				
FC475				
FC476				
FC477				
FC478				
FC479				
FC480				
FC481				
FC482				
FC483				
FC484				
FC485				
FC486				
FC487				
FC488				
FC489				
FC490				
FC491				
FC492				
FC493				
FC494				
FC495				
FC496				
FC497				
FC498				
FC499				
FC500				